



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

NOV 21 2018

Mr. Jack Morris  
President & CEO  
330 Commercial Avenue, LLC  
330 Commercial Avenue  
New Brunswick, New Jersey 08901

**Re: Self-Implementing On-Site Cleanup and Disposal of PCB Remediation Waste Work Plan  
Fulton Commercial @ 330 Commercial Avenue, Block 292.01 Lot 1.05**

**New Brunswick, New Jersey 08901**

**NJDEP PI Number: 244730**

**Approval for Cleanup and Disposal of PCB Remediation Waste under 40 CFR § 761.61(a),  
Approval for Characterization and Verification Sampling under 40 CFR § 761.61(c) and  
Approval for Alternate Decontamination under 40 CFR § 761.79(h)**

Dear Mr. Morris:

This letter is in response to the August 18th, 2018 (updated October 23<sup>rd</sup>, 2018) document entitled, "Self-Implementing On-Site Cleanup and Disposal of PCB Remediation Waste Work Plan for the Fulton Commercial @ 330 Commercial Avenue site, Block 292.01 Lot 1.05, 330 Commercial Avenue, New Brunswick, New Jersey. The document was submitted by RTP Environmental Associates, Inc., on behalf of the current property owner, 330 Commercial Avenue, LLC, and details the plan to address polychlorinated biphenyl (PCB) contamination in soil. The updated submission will be referred to as the "Application." The PCB-contaminated soil is considered to be PCB remediation waste that is subject to the applicable cleanup levels under the federal regulations at 40 CFR § 761.61(a)(4).

330 Commercial Avenue, LLC is proposing to remove the PCB-impacted soil in excess of 10 ppm. The proposed removal of PCB remediation waste meets the self-implementing cleanup and disposal requirements under 40 CFR § 761.61(a). In addition, based on the characterization and proposed verification sampling in accordance with 40 CFR § 761.61(c), the U.S. Environmental Protection Agency (EPA) finds that this sampling, in this proposed remediation context, is acceptable for purposes of determining compliance with the high occupancy standard of 10 ppm with the implementation of a deed restriction and a cap meeting the requirements of paragraph 40 CFR § 761.61 (a)(7) and (a)(8).

330 Commercial Avenue, LLC has also requested, in accordance with 40 CFR § 761.79(h), approval of an alternative procedure and standard for decontamination. The alternate decontamination method includes the use of a pressure washer for decontamination of excavation equipment and miscellaneous hand tools (shovels, picks, etc.). The pressure washer will use potable water available on-site, and manual scrubbing of equipment using a solution of laboratory grade glassware detergent followed by a

thorough water rinse. As described in the Application, verification samples will be collected to confirm compliance with a decontamination standard of 10 micrograms per 100 square centimeters (i.e., the unrestricted use standard for non-porous surfaces previously in contact with liquid PCBs). EPA finds that the proposed alternative decontamination procedure and standard are acceptable for the activities that will be performed at the site.

EPA hereby approves 330 Commercial Avenue LLC's Application and it may proceed with the cleanup and disposal under 40 CFR § 761.61(a) and (c), as well as with decontamination under 40 CFR § 761.79(h), subject to this approval. This approval constitutes an order under the authority of Section 6 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605. This Approval only specifies the applicable requirements under TSCA and does not cite to or make any determination regarding the requirements that may be applicable under other federal, state or local law. TSCA disposal requirements do not supersede other, more stringent, applicable federal, state or local laws.

Please note that this Approval does not constitute a determination by EPA that the transporters or the disposal facilities selected by 330 Commercial Avenue, LLC are authorized to conduct the activities set forth in the Application. 330 Commercial Avenue, LLC is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct any such activities in accordance with all applicable federal, state and local statutes and regulations.

Should you have any questions concerning this matter, please feel free to contact me at (212) 637-3736 or have your staff contact Charles Harewood, of my staff, at (212) 637-3753 or at [harewood.charles@epa.gov](mailto:harewood.charles@epa.gov).

Sincerely,



John Filippelli, Director  
Clean Air and Sustainability Division

cc: Kevin Schick, BEERA, NJDEP

John A. Larkins, RTP Environmental Associates, Inc.